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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,442	11/20/2003	Thomas E. Creamer	BOC9-2003-0055 (426)	9830

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AKERMAN SENTERFITT  
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EXAMINER
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WALSH, JOHN B

ART UNIT	PAPER NUMBER
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2151

MAIL DATE	DELIVERY MODE
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02/07/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/718,442

Applicant(s)

CREAMER ET AL.

Examiner

John B. Walsh

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-12,14-16 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-12,14-16 and 18-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4-12, 14-16 and 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,143,420 to Radhakrishnan in view of U.S. Patent Application Publication 2002/0078210 to Aschir.

Radhakrishnan '420 discloses:

As concerns claims 1, 15 and 22, providing Web services comprising: registering a Web service with a service provider (column 14, lines 45-50); installing the Web service within a service environment (column 14, lines 45-50); receiving a request for the Web service from a service user, wherein said request is received within an application environment, and wherein said application environment is disposed within a different network space than said service environment (column 13, line 35); accessing said requested Web service across a gateway (figure 10); and transporting service data for said Web service from a processor disposed in said application environment to the service user (column 12, lines 35-39).

As concerns claims 2 and 16, wherein said application environment is an open Internet environment (column 16, line 39), and wherein said service environment is at least one of a trusted network environment and a secure network environment (column 13, line 42).

As concerns claims 4 and 18, wherein said accessing further comprises: initiating a component within said gateway that is specific to said Web service (column 14, lines 45-50); and, initiating a component (figures 6, 9 and 10) within said gateway that is applicable to multiple Web services (column 14, lines 45-50).

As concerns claims 5 and 19, said accessing further comprises: conveying information between the gateway and the application environment using a Common Request Broker Architecture (column 12, line 2).

As concerns claims 6 and 20, further comprising: responsive to receiving the request for the Web service, executing at least one Java servlet (column 9, line 60-column 10, line 15) within said application environment that initiates said accessing step.

As concerns claims 7 and 21, wherein said Web service is registered with a service registry, and wherein said received request results from said service user selecting said Web service from said service registry (column 14, lines 45-50).

As concerns claim 8, a system for providing Web services comprising: a Web service installed within a service environment (column 14, lines 45-50); an application server (column 13, line 35) configured to distribute said Web service to said client application, wherein said application server is disposed within an application environment; and a gateway (figure 10) between said application server and said installed Web service.

As concerns claim 9, wherein said Web service is associated with a Web Service Definition Language definition (column 15, lines 2-5).

As concerns claim 10, wherein said application server further comprises an application engine (inherent for application server to have a processor) configured to execute modular server-side applications.

As concerns claim 11, wherein said application server further comprises a component engine configured to provide interface routines for the applications of said application engine (inherent for application server to have software).

As concerns claim 12, further comprising: a communication link (inherent in network) for exchanging Web service data between said gateway and said application server, wherein said communication link utilizes a Common Object Request Broker Architecture (column 12, line 2).

As concerns claim 14, wherein said gateway further comprises: a function specific component configured for a particular Web service (column 14, lines 45-50); and a service component configured for a plurality of Web services (column 14, lines 45-50).

Radhakrishnan '420 do not explicitly disclose wherein said gateway is a Parlay gateway.

Aschir '210 teach a Parlay gateway (0019).

It would have been obvious to one having ordinary skill in the art to provide the system of Radhakrishnan '420 with a Parlay gateway, as taught by Aschir '210, in order to provide a means of being independent of the underlying network technology. Furthermore such a modification is merely a combination of known elements that would yield predictable results.

### ***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

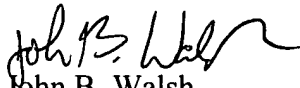
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Thursday from 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
John B. Walsh  
Primary Examiner  
Art Unit 2151